

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

TIMOTHY W. CLAY,	)	
	)	
Petitioner,	)	
	)	
vs.	)	No. CIV-08-68-C
	)	
THE STATE OF OKLAHOMA,	)	
	)	
Respondent.	)	

ORDER ADOPTING REPORT AND RECOMMENDATION

This action for habeas corpus relief brought by a prisoner, proceeding pro se, was referred to United States Magistrate Judge Gary M. Purcell, consistent with the provisions of 28 U.S.C. § 636(b)(1)(B). Judge Purcell entered his Third Supplemental Report and Recommendation on June 9, 2009, to which Petitioner has timely objected. The Court therefore considers the matter de novo.

The facts and relevant law are set out in full in the accurate and well-reasoned opinion of the Magistrate Judge and no point would be served in repeating that analysis. Petitioner does not specifically dispute either the factual recitation or the legal reasoning employed by the Magistrate Judge, but rather states, once again, that he'll try to get it right next time. There is nothing asserted by the Petitioner which was not fully considered and correctly rejected by the Magistrate Judge, and no argument of fact or law is set forth in the objection which would require a different result.

Accordingly, the Court adopts, in its entirety, the Third Supplemental Report and Recommendation (Dkt. No. 45), and for the reasons announced therein, Petitioner's "Motion for Stay and Abeyance" (Dkt. No. 43) is DENIED.

IT IS SO ORDERED this 24th day of June, 2009.



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ROBIN J. CAUTHRON  
United States District Judge